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POST-CONFIRMATION TRUST

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

WAYNE BERRY, a Hawaii citizen;

Plaintiff,

VS.

HAWAIIAN EXPRESS SERVICE,
INC., et al.,

Defendants.

) CIVIL NO. CV03-00385 SOM-LEK
) (Copyright)

DECLARATION OF ERIN N.
BRADY IN SUPPORT OF
DEFENDANT PCT'S RESPONSE
TO PLAINTIFF WAYNE BERRY'S
LIMITED OBJECTION TO THE
REPORT OF SPECIAL MASTER

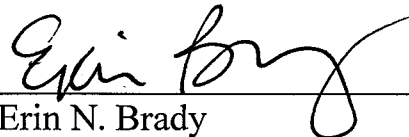
) Hearing: February 26, 2007
)) Time: 9:00 a.m.
) Judge: Susan Oki Mollway
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**DECLARATION OF ERIN N. BRADY IN SUPPORT OF DEFENDANT
PCT'S RESPONSE TO PLAINTIFF WAYNE BERRY'S LIMITED
OBJECTION TO THE REPORT OF SPECIAL MASTER**

I, ERIN N. BRADY, declare that:

1. I am an attorney at the law firm of KIRKLAND & ELLIS, LLP, attorneys for Defendant PCT, and am duly authorized to make this affidavit.
2. I am licensed to practice law in the State of California. I know the following to be true through my work in this case, and if requested could and would competently testify as such.
3. Attached hereto as Exhibit A are true and correct excerpts from the transcript of a January 23, 2007 hearing held before the Honorable Mary F. Walrath, Chief Judge of the Bankruptcy Court for the District of Delaware.
4. Attached hereto as Exhibit B is a true and correct copy of an email dated September 14, 2005, from Timothy J. Hogan to Damian Capozzola stating that "none of these matters [i.e., the litigation] will ever end until cert. denied."
5. Attached hereto as Exhibit C is a true and correct copy of an email dated March 28, 2006, from Timothy J. Hogan to Damian Capozzola suggesting that Mr. Capozzola hold the champagne until "cert. denied."
6. Attached hereto as Exhibit D are true and correct excerpts from the transcript of a July 26, 2004 hearing held before the Honorable Mary F. Walrath, Chief Judge of the Bankruptcy Court for the District of Delaware.

So sworn under penalty of perjury under the laws of the United States of America in Los Angeles, California, on February 8, 2007.


Erin N. Brady